

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT

STEPHEN BAIN,  
Plaintiff,

v.

File No. 1:07-CV-116

JOHN GORCZYK, ROBERT HOFMANN,  
STEVEN GOLD, JAMES DONNAN,  
KEITH TALLON, MICHAEL O'MALLEY,  
ROBERT ARNELL, DAVID BOULANGER,  
RAYMOND FLUM, KEVIN ODDY,  
CHRISTOPHER OWENS, KATHLEEN  
LANMAN, DR. SUSAN WEHRY, DR.  
ERIN CODY, DR. KURNS, DR. ROUSE  
DR. LEPPMAN, DR. KUTTLE, PRISON  
HEALTH SERVICES, INC.,  
CORRECTIONAL MEDICAL SERVICES,  
STATE OF VERMONT, VERMONT  
DEPARTMENT OF CORRECTIONS,  
JANE DOE, JOHN DOE,  
Defendants.

**ORDER**

The Magistrate Judge's Report and Recommendation was filed February 19, 2010. (Paper 111.) After de novo review and absent objection, the Report and Recommendation is AFFIRMED, APPROVED and ADOPTED. See 28 U.S.C. § 636(b)(1).

Defendants' Motions for Summary Judgment (Papers 98, 101) are GRANTED. Because the Defendants' arguments at summary judgment do not address all of the claims set forth in the complaint, any further dispositive motions shall be filed on or before April 30, 2010.

It is further certified that any appeal taken in forma pauperis from this Order would not be taken in good faith because such an appeal would be frivolous. See 28 U.S.C. § 1915(a)(3).

This matter is returned to Magistrate Judge John M. Conroy for further proceedings.

SO ORDERED.

Dated at Brattleboro, in the District of Vermont, this 24<sup>th</sup> day of March, 2010.

/s/ J. Garvan Murtha

Honorable J. Garvan Murtha

Senior United States District Judge